

USDC SDNY DOCUMENT ELECTRONICALLY FILED DOC #: DATE FILED: 5/4/2022

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA	:
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-v-	:
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WAYNE J. MORGAN,	:
	:
Defendant.	:
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1:20-cr-543-GHW-1

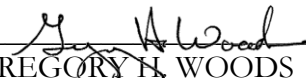
ORDER

GREGORY H. WOODS, United States District Judge:

The Court has reviewed Defendant's evidence package, Dkt. No. 103. Defendant's materials include an affidavit from Dr. Cynthia Calkins regarding her opinions as to Defendant's intentions on the date of the incident. The Court expects that it will need to hear testimony from Dr. Calkins regarding her opinions in order to evaluate the disputed sentencing issue. Accordingly, the Court will hold a *Fatico* hearing on June 10, 2022 at 9:00 a.m. in Courtroom 12C of the United States District Court for the Southern District of New York, Daniel Patrick Moynihan U.S. Courthouse, 500 Pearl Street, New York, New York 10007. The Government is directed to inform the Court whether it intends to offer expert testimony or evidence in response to the evidence offered by Defendant no later than May 10, 2022. In addition, Defendant is directed to inform the Court if it intends to rely on witnesses other than Dr. Calkins no later than May 17, 2022.

SO ORDERED.

Dated: May 4, 2022
New York, New York


 GREGORY H. WOODS
 United States District Judge